

Posted – MARCH 11, 2015

REGULAR MEETING MARCH 16, 2015

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, March 16, 2015 at 5:00 P.M. Executive Session; 6:00 PM Presentation (DOT – Aquidneck Avenue; 6:30 PM Presentation (PARE Corp. – Oliphant Lane); 7:00 P.M. Regular Meeting at the Joseph H. Gaudet School, 1113 Aquidneck Avenue, (Cafeteria) – Turner Road Entrance, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day

general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

5:00 PM - EXECUTIVE SESSION

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Collective Bargaining (NEARI – Town Hall), (5) Land Acquisition, (5) Land Acquisition, (1) Personnel (IT Director) and (2) Potential Litigation.

6:00 PM – PRESENTATION

2. Memorandum of Town Engineer, thru Town Administrator, with enclosure, re: Aquidneck Avenue Corridor projects.

6:30 PM – PRESENTATION

3. Communication of John P. Shevlin, P.E., Senior Vice President, PARE Corporation, with enclosure, re: Oliphant Lane Safety Evaluation, Middletown, RI, PARE Proposal NO. TP449.14.

PUBLIC FORUM

4. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

PUBLIC HEARINGS

5. Public Hearing

Public Hearing Remains open

Proposed East Main Road Recreation Master Plan.

6. Public Hearing (Advertised; Abutters notified)

Public Hearing remains open.

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Title XV Land Usage, Chapter 152 Zoning Code, seeking to change the zoning classifications of Lots 5, 53, 54 & 55 on TAP 115 from Office Business (OB) and Office Business/Traffic Sensitive (OBA) to Office Park and Office Park/Traffic Sensitive (OPA). (Planning Board recommendation attached)

PRESENTATIONS

7. At the request of Councillor Santos, Citation, re: Ms. BB.

8. Memorandum of Town Administrator and Human Resources Manager, re: 2015 Employees Service Awards Ceremony.

CONSENT

9. Approval of Minutes, re: Regular Meeting, March 2, 2015.

10. Resolution of the Town of Portsmouth, re: In support of House Bill 2015 – H5000 - An Act Relating to Taxation – Personal Income Tax.

11. Resolution of the Town of Portsmouth, re: In support of House Bill 2015-H5054 - An Act Relating To General Assembly – Joint Committee of the Repealer.

12. Resolution of the Town of Portsmouth, re: In support of House Bill 2015-H5101 - A Joint Resolution Creating a Special Legislative Commission To Study Streamlining New Business Startup Processes.

13. Resolution of the Town of Portsmouth, re: In support of House Bill 2015-H5107 - A House Resolution Creating a Special Legislative Commission to Study the Categories, Methods, and Monetary Implications of Taxing Various Personal Retirement Income and Pension Income Paid To Rhode Islanders by Out-Of State Employers.

14. Communication of Tax Assessor, dated February 24, 2015, with

enclosure, re: Cancellation of Taxes for certain Middletown residents.

15. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

16. Communication of Tax Assessor, dated March 10, 2015, with enclosure, re: Cancellation of Taxes for certain Middletown residents.

17. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

18. Memorandum of Superintendent of Schools, with enclosures, re: Budget Amendments.

19. Resolution of the Council, re: School Department accounts in the FY2015 Approved Budget.

20. Application for Special Event Permit from Eident Sports Marketing for Newport Marathon Road Race to be held on Sunday, October 11, 2015 from 7:30 am to 1:30 pm.

21. Application for Special Event Permit from The Boys & Girls Clubs of Newport County, Inc. for The Newport Antiques Show to be held at St. George's School, 372 Purgatory Road, Middletown, RI on

Thursday, July 23, 2015 from 5:00 pm to 9:00 pm, Friday, July 24, 2015 from 10:00 am to 6:00 pm and Saturday, July 26, 2015 from 10:00 am to 4:00 pm.

22. Application for Special Event Permit from 4 Bridges Ride for Bike Ride to benefit various local charities to be held on Saturday, May 2, 2015 from Coddington Highway, Lexington Street, Chases Lane, Gate 17 Access Road and Burma Road.

23. Applications received from the following named persons, firms and corporations for RENEWAL of Holiday Sales Licenses for the 2015-2016 licensing year. (See Attached List)

24. Applications received from the following named persons, firms and corporations for RENEWAL of Sunday Selling Licenses for the 2015-2016 licensing year. (See Attached List)

LICENSES AND PERMITS

25. Application of Andrews At Eastgate, LTD dba Golds Wine & Spirits for a Sunday Selling License for the 2015-2016 licensing year. (NEW)

OTHER COMMUNICATION

26. Communication of Mallory (Mal) David on behalf of the Staff and Board of Directors of Turning Around Ministries, Inc., re: Request for support by placing an ad in the Souvenir Book or making a contribution to TAM.

TOWN ADMINISTRATOR

27. Memorandum of Town Planner, thru Town Administrator, re: Comprehensive Plan Implementation – Request for joint meeting of the Town Council and Planning Board.

28. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-015-007 Buck Road Extension.

29. Resolution of the Council, re: Contract Award: MIDD-015-007 Buck Road Extension.

30. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: §33A.034 Sole Source Procurement – Paradise Avenue Culvert Replacement.

31. Resolution of the Council, re: Award of Contract - §33A.034 Sole Source Procurement – Paradise Avenue Culvert Replacement.

32. Revaluation Update. (Documentation to follow)

BOARDS AND COMMITTEES

33. Memorandum of Town Clerk, re: Resignation of Robert Crump from the Library Board of Trustees.

34. Communication of Marci A. McNicol, re: Resignation from the Middletown Prevention Coalition.

35. Memorandum of MPC Coordinator, thru Town Administrator, re: MPC Sector Seat Recommendations.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before this meeting.